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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

ALBERTO QUINTERO,

Defendant.

) NO. CR-12-0383 DLJ

)
) STIPULATION AND [] ORDER
) CONTINUING DATE FOR CHANGE OF PLEA
) AND DOCUMENTING EXCLUSION OF TIME
) UNDER THE SPEEDY TRIAL ACT

1 The defendant, ALBERTO QUINTERO, represented by Hugh Levine, Esquire, and the
2 government, represented by DAMALI A. TAYLOR, Assistant United States Attorney, hereby stipulate
3 to a continuance of the December 5, 2013 change of plea date until December 19, 2013. The
4 continuance is a result of the unforeseen unavailability of defense counsel. The parties agree and
5 stipulate that time should be excluded under the Speedy Trial Act through December 19, 2013 on the
6 basis of continuity of counsel. The parties agree that the ends of justice served by granting such an
7 exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.
8 § 3161(h)(7)(A).

9
10 SO STIPULATED:

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12 MELINDA HAAG
United States Attorney

13 DATED: November 25, 2013

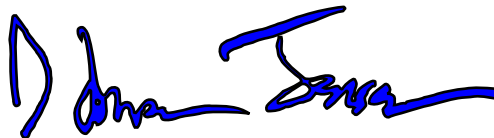
14 /s/
DAMALI A. TAYLOR
Assistant United States Attorney

15
16 DATED: November 25, 2013

17 /s/
HUGH LEVINE
Counsel for the Defend

ORDER

For the foregoing reasons, the Court HEREBY ORDERS that the December 5, 2013 change of plea date shall be continued until December 19, 2013. The Court finds that good cause is shown for extending the time limits set forth under Rule 5.1(d) and Title 18, United States Code, Sections 3060 and 3161. The Court finds that the failure to grant the requested extension would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice served by granting the requested extension outweigh the best interests of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The Court also concludes that an exclusion of time through and including December 19, 2013, should be made under Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court also finds that the ends of justice served by excluding the period through and including December 19, 2013 outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

IT IS SO ORDERED.Dated: FCBH

D. LOWELL JENSEN
UNITED STATES DISTRICT JUDGE